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(FRI) 11. 17' 06 11:50/ST. 11:49/NO. 4260454117 P 1

1103326-0250 (CON)

NOV 17 2006  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

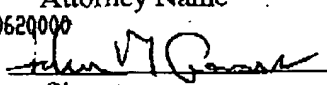
In re Application of : Depui, et al.  
 Serial No. : 10/620,000  
 Filed : July 14, 2003  
 For : ORAL PHARMACEUTICAL DOSAGE  
 FORMS COMPRISING A PROTON  
 PUMP INHIBITOR AND A NSAID  
 Examiner : Channavajjala, Lakshmi Sarda  
 Group Art Unit : 1615

11/20/2006 MWOLDGE1 00000025 231703

01 FC:1401 500.00 DA

11/20/2006 MWOLDGE1 00000025 231703

02 FC:1253 1020.00 DA

<b>CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.9</b> I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on 17 November 2006 at the facsimile number 571-273-8300	
John M. Genova Attorney Name	52,224 PTO Reg. No.
 Signature	17 November 2006 Date of Signature

**MAIL STOP AF**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Attention: Examiner Channavajjala, Lakshmi Sarda  
 Pages: 3

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
 (37 C.F.R. §1.191)**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final Office action, mailed 17 May 2006. The item(s) below are appropriate:

## 1. STATUS OF APPLICANTS

This application is on behalf of other than a small entity.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b), the fee for filing the Notice of Appeal is \$500.00.

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FROM W&amp;C LLP 19TH-FL.

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## 3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1-4)) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>
<input type="checkbox"/> one month	\$120.00
<input type="checkbox"/> two months	\$450.00
<input checked="" type="checkbox"/> three months	\$1,020.00
<input type="checkbox"/> four months	\$1,590.00

Fee \$1,020.00

If an additional extension of time is required, please consider this a petition therefor.

- ☐ An extension for \_\_\_\_\_ month has already been secured by the Amendment after Final, filed \_\_\_\_\_. The fee paid therefor of \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$1,020.00

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

## 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 500.00

Extension fee (if any) \$ 1020.00

**TOTAL FEE DUE \$ 1520.00**

## 5. FEE PAYMENT

☐ Attached is a check in the sum of \$ \_\_\_\_\_.

☒ Charge Account No. 23-1703 the sum of \$ 1520.00.

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Attorney Docket No. 1103326-0250(CON)  
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6. FEE DEFICIENCY

☒ If any additional extension and/or fee is required, charge Account No. 23-1703.

AND/OR

☐ If any additional fee for claims is required, charge Account No. 23-1703.

Dated: 17 November 2006

Respectfully submitted,



John M. Genova  
Reg. No. 32,224

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